

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE
WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF
NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Kansas City District

FILE NUMBER: 200402225

REGULATORY PROJECT MANAGER: Donahue **Date:** 10 sep 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office ☐ (Y/N) **Date:** _____
 At the project site ☒ (Y/N) **Date:** 08 sep 2004

PROJECT LOCATION INFORMATION:

State: Missouri
County: Ray
Center coordinates of site by latitude & longitudinal coordinates: Lat 39-16-4 Long 93-58-44
Approximate size of site/property (including uplands & in acres): 7
Name of waterway or watershed: Willow Creek

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)	X								
<u>Excavated Stock Pond</u>									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

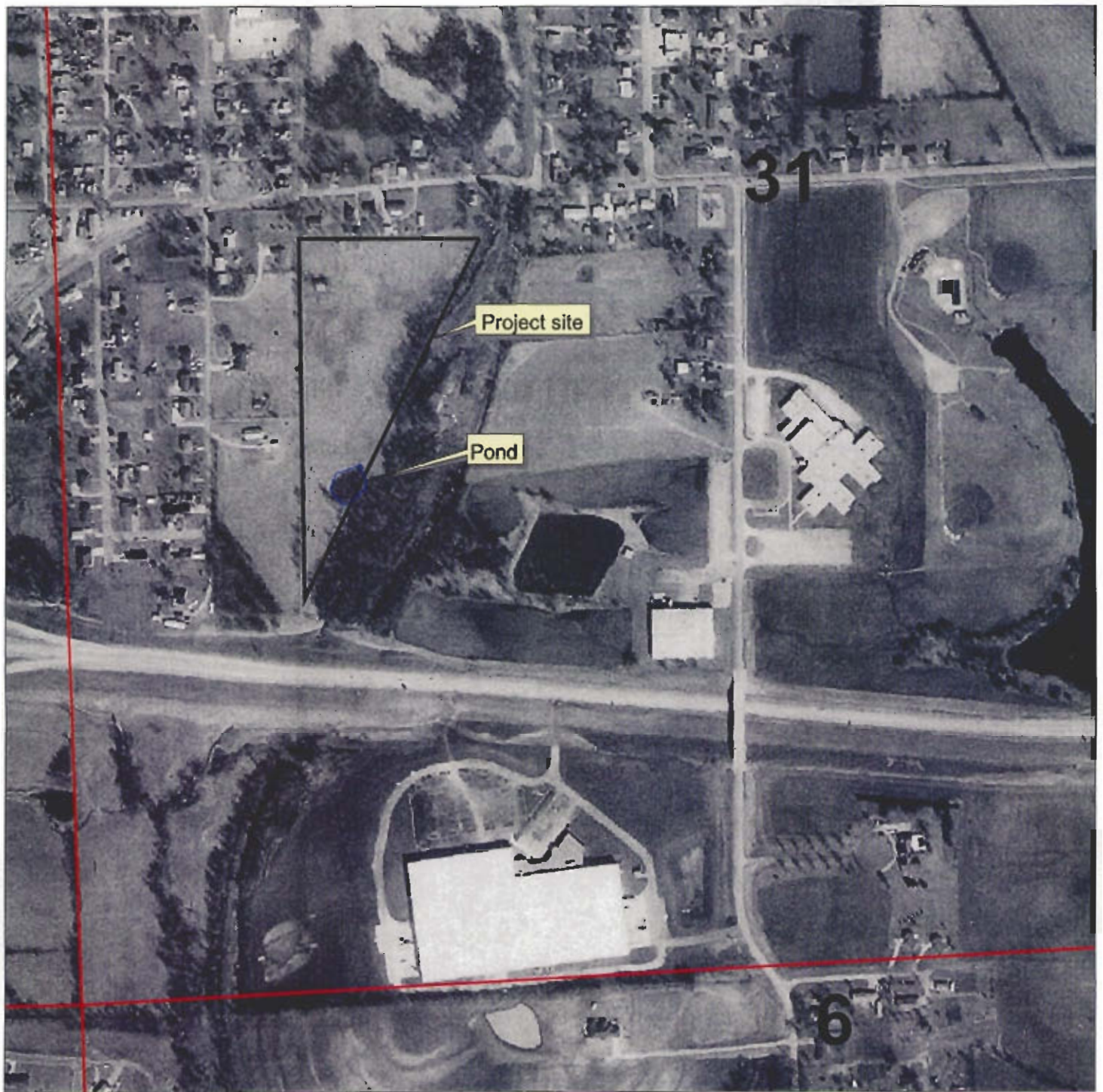
Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☒_X_.

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): Small approximately 0.2 acre pond constructed in a pasture with a earthen berm along it's east and south sides. No visible OHWM was observed either up or down slope of the pond nor was there a spillway or outlet culverts to connect it with the tributary channel of Willow Creek. Pond was mostly open water of shallow depth with very narrow fringe (1-2 feet) of wetland plant species around the perimeter. Most likely constructed for stock watering by capturing sheet flow off of surrounding pasture ground located in an upland.

City of Richmond Richmond Heights



0 0.1 0.2 0.3 0.4 0.5 Miles

Application by

Base Number: 200402225

Purpose:

State: MO

County: Ray

Legal: Sec. 31, T52 north, R27 west

River Mile:

Lat: 39-16-04.5120

Long: 93-58-44.2920

Adjacent Property Owners

